



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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November 24, 2015

Sent electronically to Iris Lilley“irislil221@gmail.com”

Subject: Complaint filed against Officials of the Orting School District, PDC Case No. 1288

Ms. Lilley,

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on November 3, 2015. Your complaint alleged that officials of the Orting School District violated RCW 42.17A.555 by: (1) allowing school district facilities, specifically the Performing Arts Center, to be used for a candidate forum sponsored by the Orting Education Association (OEA); and (2) allowing the school district's internal mail system to be used to communicate information about the candidate forum.

PDC staff reviewed your allegations in light of PDC laws and rules in order to determine whether a formal investigation or enforcement action is warranted.

RCW 42.17A.555 states, in part: “No elective official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office...The foregoing provisions of this section shall not apply to the following activities: (3) Activities which are part of the normal and regular conduct of the office or agency.”

Staff reviewed your complaint with attachments, and the November 4, 2015 response from Dr. Marci Shepard, Superintendent of the Orting School District. Based on staff's review, we found that:

- The postcard announcement about the Friday, October 30, 2015 Orting School Board “candidate meet and greet” were distributed in school district employee mailboxes, and there were some email communications concerning the meet and greet.
- Dr. Shepard stated that both of the unions representing school district employees, the Public School Employees (PSE) and Orting Education Association (OEA), “use employee mailboxes to distribute information about union activities and meetings.” She stated that although the after school meeting was sponsored by PSE and OEA, it was not an official PSE or OEA meeting, or an official district meeting. She stated that all 2015 candidates for Orting School Board member were invited.

- Dr. Shepard stated that the OEA and PSE, as part of their normal and regular conduct hold union meetings in Orting School District facilities, including the Performing Arts Center. She stated that the Orting School District allows for the "...liberal use of its facilities, including but not limited to the performing arts center, by community groups of all types."
- Dr. Shepard stated that the Orting School Board policy "...subscribes to the belief that public schools are owned and operated by and for the community." She added that Orting School District related groups like the PTA, booster clubs, ASB, and school unions, have first priority for use of facilities.
- The evidence you provided of emails from private email accounts, Facebook postings, and telephone calls that discussed the Orting School Board as a legislative body, and related school district issues were not reviewed by staff since they did not support or oppose any candidates or ballot proposition.

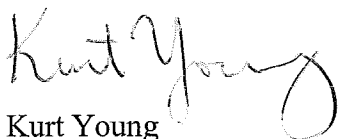
Staff's review of your complaint found that while the October 30, 2015, meeting was advertised as a "candidate meet and greet," no evidence was found that officials or employees of the Orting School District used the facilities, including the Performing Arts Center, to support or oppose any candidates for School Director.

For these reasons, the PDC will not be conducting a more formal investigation into your complaint or pursuing enforcement action in this case. Thank you for bringing this matter to our attention. The process relies on citizens monitoring campaign activity to promote full compliance with the law. Your actions will contribute to better awareness of campaign restrictions and prohibitions.

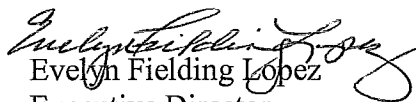
If you have questions, you may contact me at (360) 664-8854, toll-free at 1-877-601-2828, or by e-mail at kurt.young@pdc.wa.gov.

Sincerely,

Endorsed by:



Kurt Young
PDC Compliance Officer



Evelyn Fielding Lopez
Executive Director

cc: Dr. Marci Shepard, Superintendent of the Orting School District



Public Disclosure Commission
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